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NEW APPLICATION

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AZ CORP COMMISSION
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October 29, 2007

BY OVERNIGHT DELIVERY

Docket Control Center
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Arizona Corporation Commission
DOCKETED

OCT 30 2007

DOCKETED BY	<i>MM</i>
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Re: **EXPEDITED CONSIDERATION REQUESTED --**
*Application of US LEC Communications Inc. for Approval to
Relinquish Its Certificate of Convenience and Necessity
and Request for Waiver of Commission Rule R14-2-1107.B.*

Dear Sir or Madam:

T-04194A-07-0624

US LEC Communications Inc. ("US LEC"), by its undersigned counsel, hereby submits an application for Commission approval to relinquish its Certificate of Convenience and Necessity to provide resold interexchange telecommunications services in Arizona. US LEC has no Arizona customers and, therefore, requests a waiver of the notice requirement of Commission Rule R14-2-1107.B. US LEC respectfully requests that the Commission grant the requested relief by December 1, 2007.

An original and thirteen (13) copies of this filing are enclosed. Kindly date-stamp and return the extra copy of this filing in the self-addressed, postage-paid envelope provided. Please contact me if there are any questions regarding this matter.

Respectfully submitted,

Grace R. Chiu

Counsel to US LEC Communications Inc.

Enclosure

cc: Judith Messenger (US LEC)

**BEFORE THE
ARIZONA CORPORATION COMMISSION**

In the Matter of)	
)	
US LEC COMMUNICATIONS INC.)	
)	
Application For Approval to Relinquish)	
Certificate of Convenience and Necessity)	
To Provide Resold Interexchange Services)	Docket No. _____
)	
And)	
)	
Request for Waiver of Commission)	
Rule R14-2-1107)	

APPLICATION

US LEC Communications Inc. ("US LEC"), by its undersigned counsel and pursuant to A.A.C. R14-2-1107, hereby requests Commission approval to relinquish its Certificate of Convenience and Necessity to provide resold interexchange telecommunications services in Arizona and cancellation of its tariff on file with the Commission. US LEC has no Arizona customers, as detailed herein. US LEC therefore also requests a waiver of the notice requirement of A.A.C. R14-2-1107.B.

In support of this Application, US LEC states as follows:

1. US LEC is a North Carolina corporation and an indirect, wholly owned subsidiary of PAETEC Holding Corp., a publicly traded holding company headquartered in Fairport, New York. US LEC is authorized to provide competitive resold intrastate interexchange telecommunications services in Arizona pursuant to the Certificate of Convenience and Necessity ("Certificate") granted by the Commission in Docket No. T-04194A-03-0514.

2. US LEC seeks to relinquish its Certificate and cancellation of its tariff because it no longer serves any customers in Arizona and no longer desires authority to operate as a provider of intrastate interexchange telecommunications services in Arizona. US LEC requests cancellation of its Certificate and tariff effective December 1, 2007.

3. Cancellation of US LEC's Certificate and tariff will not involve the discontinuance of service to any Arizona customers because US LEC no longer serves any customers in Arizona.

4. Subparagraph A.2. of Commission Rule R14-2-1107 requires verification that affected customers have been notified of the proposed discontinuance or abandonment and will have access to an alternative interexchange carrier. The rule does not apply in this case, however, because US LEC does not serve any customers in Arizona. In addition, subparagraph A.4. requires a list of alternative utilities providing the same or similar services in the affected area. Numerous alternative utilities, including Qwest, Alltel, and Level 3, offer the same or similar long distance services.

5. US LEC has no deposits or prepayments from any Arizona customers outstanding.

6. No geographic areas of Arizona are affected by this Application because, as explained above, US LEC no longer serves any customers in Arizona.

Request for Waiver of Commission Rule R14-2-1107.B.

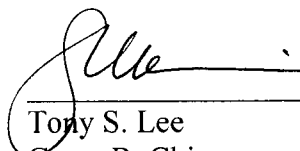
7. Commission Rule R14-2-1107.B. requires publication, within 20 days after the application is filed, of "legal notice of the application in all counties affected by the application." A.A.C. § R14-2-1107.B. US LEC respectfully requests a waiver of Rule R14-2-1107.B. because US LEC serves no customers in Arizona and, therefore, no

Arizona counties are affected by this Application. US LEC, moreover, does not provide local exchange services in Arizona. The provision of local exchange service to consumers in Arizona, therefore, is not affected by this Application. Grant of a waiver of Commission Rule R14-2-1107.B., therefore, is appropriate in this case.

8. For the foregoing reasons, US LEC submits that grant of this Application is reasonable and necessary and will not harm the present or future public convenience and necessity of the State of Arizona.

WHEREFORE, US LEC Communications Inc. respectfully requests that the Commission grant this Application and cancel US LEC's Certificate and tariff. US LEC also requests that the Commission grant a waiver of Rule R14-2-1107.B., and all such further relief as is necessary and proper to effect US LEC's withdrawal from the State of Arizona.

Respectfully submitted,



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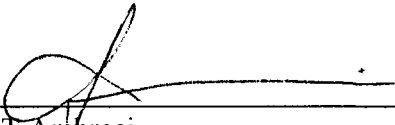
Counsel to US LEC Communications Inc.

Dated: October 29, 2007

VERIFICATION


STATE OF NEW YORK §
 §
COUNTY OF MONROE §

I, JT Ambrosi, hereby verify under penalty of perjury that I am an authorized representative of US LEC Communications Inc.; that I have read the foregoing document and know the contents thereof; and that the same are true of my own knowledge, except to those matters therein stated upon information and belief, and as to those matters I believe them to be true.



JT Ambrosi
Vice President, Carrier and Government Relations
PAETEC Communications, Inc.

Subscribed and sworn to before me on this 18th day of October, 2007.


My commission expires: Sept 26, 2009

Connie Schoenl
Notary Public, State of New York
No. 01SC6134301
Qualified in Monroe County
Commission Expires Sept. 26, 2009